REMARKS

The examiner is thanked for the performance of a thorough search. In this reply, Claims 1, 6, 26, and 27 are amended. Claims 9 and 25 are canceled. New claims 26-38 are presented. Hence, Claims 1, 3-8, 10, 11, and 26-38 are pending in the application. The amendments to the claims as indicated herein do not add any new matter to this application. Furthermore, amendments made to the claims as indicated herein have been made to exclusively improve readability and clarity of the claims and to make explicit what was previously implicit, not for the purpose of overcoming alleged prior art. Each issue raised in the Office Action mailed November 3, 2005 is addressed hereinafter.

I. NEW CLAIMS

New claim 28 is similar in scope to Claim 1 but is presented in computer-readable medium format. New claims 29-33 depend from claim 26 and present subject matter similar to original claims 3-11 but in apparatus format. New claims 34-38 depend from claim 27 and present subject matter similar to original claims 3-11 but in apparatus format.

II. ISSUES RELATING TO PRIOR ART

A. CLAIMS 1, 3-7, 9-11, 25-27—MODARRESSI ET AL.

Claims 1, 3-7, 9-11, 25-27 stand are rejected under 35 U.S.C. § 102(e) as allegedly unpatentable over Modarressi et al. U.S. Pat. No. 6,667,971 B1. The rejection is respectfully traversed. (Claims 9 and 25 are canceled herein, and the rejection is moot as to those claims.)

Claim 1 is amended to incorporate references to a router, authenticator process, DCHP relay agent process, and DHCP discovery message. Because this subject matter is similar to original Claim 9, that claim is canceled. Each of the independent claims is amended with the same features. All new claims include these features. All dependent claims include these features by virtue of dependency.

An anticipation rejection under 35 U.S.C. 102 is overcome by a showing that the applicant's claims include at least one feature that is not shown, described or taught in the cited prior art reference, explicitly or by inherency. Modarressi et al. does not teach or suggest all features of amended Claim 1.

For example, the Office Action contends that the first step of Claim 1, "receiving ... in response to a request for authentication ... first data ..." is found in Modarressi et al. at col. 7, lines 26-45. However, that portion of Modarressi et al. merely describes permanent virtual circuits (PVCs) and has no express or implicit teaching of any kind of **request** or any kind of **authentication and authorization information**. The rationale of the Office Action is unsupported because the cited portion of the reference does not meet the terms of the claim.

The Office Action further contends that Modarressi et al. shows "receiving ... a first message for discovering a logical network address ..." at 8:66 to 9:5. This is incorrect. That portion of Modarressi et al. merely describes sending an IP address, and has no express or implicit teaching of a **discovery message**.

The Office Action relies on the **same portion** of Modarressi et al. to show "generating a second message based on the first message and the first data." This is incorrect. That portion of Modarressi et al. does not describe multiple messages and does not indicate that a second message is based on a first.

For every different individual sub-clause of the "wherein" clause of Claim 1, the Office Action relies on the same portion of Modarressi et al. (9:42 to 10:18). That portion of Modarressi et al. has no description, express or implicit, of a relay agent process separate from the authenticator, and using the relay agent process to receive and send in the manner claimed. The terms "authenticator" and "relay agent" have known and specific meanings to persons of

skill in the art, and the elements described in Modarressi et al. (service gateway, continuous service provider, etc.) are not the same.

Moreover, Modarressi et al. 9:42 to 10:18 does not describe the same functional approach as Claim 1, when properly interpreted in light of the specification. Modarressi et al. 9:42 to 10:18 describes the following process: communications portal 330 of a user computer contacts service gateway 304 and provides a userid and password for a user (9:62), and at that point **the user is not yet authenticated or authorized**; service gateway sends the userid and password to continuous service provider 302; then CSP 302 performs authorization and authentication and when successful immediately assigns a static IP address to the user (see FIG. 4 and 14:52 to 15:5); then the service gateway 304 provides the IP address **of CSP 302** (not the user) to communications portal 330 (10:7-10). This enables portal 330 to set up a routing path to CSP 302; Modarressi et al. is not concerned with improving the efficiency of the client IP address assignment process.

In stark contrast, in Applicants' approach, authentication and authorization checks are performed, and then information indicating a successful authentication and authorization is handed off to a DHCP server that assigns an address. In this approach, the DHCP server does not have to re-perform authentication and authorization.

Claim 1 recites that a router hosting an authenticator process for the host receives, from a first server that provides authentication and authorization, in response to a request for authentication for the physical connection, first data indicating at least some of authentication and authorization information. Thus, host authentication and authorization has occurred. A DHCP relay agent process of the router receives a DHCP discovery message from the host for discovering a logical network address for the host. The DHCP relay agent generates a second message based on the DHCP discovery message and the first data. The DHCP relay agent

process sends the second message to a DHCP server that provides the logical network address for the host. Generating the second message further comprises sending a third message, from the authenticator process to the DHCP relay agent process, that contains at least some of the authentication and authorization information based on the first data. Providing that information relieves the DHCP server from having to re-authenticate the user as a condition for assigning an address.

These features distinguish Modarressi et al., which has no teaching whatsoever regarding the use of DHCP for any purpose, express or implicit. Indeed, Modarressi et al. 9:42 to 10:18 **teaches away** from the claims by requiring that the address assignment entity (CSP 302) also have responsibility for authorization and authentication, and requiring that authorization and authentication is always performed when a client IP address is assigned (FIG. 4).

In addressing Claim 9, the Office Action contends that Modarressi et al. discloses that a second message is based on DHCP at 9:42 to 10:18, but that contention is simply false. Nothing in that portion of Modarressi et al. has any statement, express or implied, about DHCP. Indeed, Modarressi et al. **teaches away** from a DHCP approach by stating that the continuous service provider determines an IP address (14:52 to 15:3). The assigned address is clearly static, because no aspect of dynamic assignment is taught and no drawing figure of Modarressi et al. shows a DHCP server or relay agent.

Each of the features discussed above for Claim 1 is present in all other independent claims 26, 27, and 28. Each of the features discussed above for Claim 1 is present, by dependency, in Claims 3-8, 10-11, and 29-38. Each of the dependant claims include the limitations of claims upon which they depend, the dependant claims are patentable for at least those reasons the claims upon which the dependant claims depend are patentable. Reconsideration of Claims 1, 3-7, 9-11, and 26-27 is respectfully requested.

B. CLAIM 8— MODARRESSI ET AL. IN VIEW OF BAHL

Claim stands rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Modarressi et al. in view of Bahl. Each of the features discussed above for Claim 1 is present, by dependency, in Claim 8. Because dependant Claim 8 includes the limitations of Claim 1, Claim 8 is patentable for at least the reasons given above with respect to Claim 1. Further, Bahl does not cure the deficiencies noted above with respect to Modarressi et al. Reconsideration of Claim 8 is respectfully requested.

III. CONCLUSIONS & MISCELLANEOUS

For the reasons set forth above, it is respectfully submitted that all of the pending claims are now in condition for allowance. The Examiner is invited to contact the undersigned by telephone regarding any issue that would advance examination of the present application.

A petition for extension of time, to the extent necessary to make this reply timely filed, is hereby made.

No check for applicable additional claim fees is enclosed herewith, but the enclosed transmittal authorizes a deposit account charge for such applicable fees. If any applicable fee is missing or insufficient, throughout the pendency of this application, the Commissioner is hereby authorized to any applicable fees and to credit any overpayments to our Deposit Account No. 50-1302.

Respectfully submitted,
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